

Testimony of

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Department of Crime Control & Public Safety

Before the

House Committee on Homeland Security,

Subcommittee on Emergency Preparedness, Science, and Technology

Tuesday, April 12, 2005

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Chairman King, Ranking Member Pascrell, Distinguished Members of the Subcommittee: thank you for the opportunity to testify today.

Mr. Chairman: I have come to Washington to report to you on North Carolina's experience in administering Homeland Security Funds, and on how we are using those funds to improve our ability to respond to terrorist threats.

Terrorist risks to North Carolina

North Carolina is the nation's eleventh largest state with a population of approximately eight and a half million people. To give you context, Georgia is 9th and New Jersey is 10th. But North Carolina is next to last in combined per capita homeland security funding for 2005 according to the Congressional Research Service. The reason for that primarily is that we don't have a major metropolitan area. We have several smaller cities like Raleigh, Durham, Charlotte, Greensboro and Winston-Salem.

That does not mean that North Carolina does not have terrorists who have lived here, and it does not mean that North Carolina lacks potential terrorist targets.

As former Director of my State Bureau of Investigation I am familiar with many domestic terrorist threats in North Carolina dating back to the Oklahoma City bombing. Just last summer, an illegal Middle Eastern immigrant was apprehended by a Charlotte Police Officer taking video footage of the Bank of America headquarters. That suspect was recently convicted of lying to Federal Agents during their questioning.

According to the 9/11 report, the "principal architect" of the al Qaeda attacks was Khalid Sheikh Mohammed. He came to the United States in 1983 and attended Chowan College near the Outer Banks of North Carolina. Later he transferred to North Carolina A & T University in Greensboro and earned a degree in Mechanical Engineering. He attended there with his nephew, brother to Ramzi Yousef. Al Qaeda operatives learned about American life while living in North Carolina.

Three years ago a group of Middle Eastern immigrants who entered the country fraudulently were convicted in federal court in Charlotte in connection with a cigarette smuggling operation that was used to provide money to Hezbollah in Lebanon.

We know that terrorists choose a variety of targets. Globally, terrorists have attacked military barracks in Beirut, embassies in Kenya and Tanzania, a ship in harbor in Yemen, hotels and banks in North Africa and the Middle East, and a train station in Madrid.

I cite these examples because North Carolina is home to Fort Bragg, Camp Lejeune, Pope and Seymour Johnson Air Force Bases, and Cherry Point Marine Air Station. The City of Charlotte is the nation's second largest banking center. We have three nuclear power plants within 20 miles of our largest cities, each within a population of over a half million people. Our state has three professional sports teams and many major college athletics programs. We have stadiums seating tens of thousands of spectators. We have chemical plants, fuel farms, and internationally renowned research centers. East Coast highways and railways that are critical to the country's transportation infrastructure run through the state. We have two deepwater ports. Our swine and poultry industries are among the nation's largest, and the injection of foot-and-mouth disease or avian flu would have disastrous economic consequences for the national economy.

I would like to see future funds distributed with more regard to the nature of the threat and the nature of the targets. Although we are next to last in funding, I cannot believe we are next to last in risk. So we've done the best we can with what we've got.

Uses of Federal First Responder Funds in North Carolina

Preparing to respond to terror threats has been an ongoing education for all of us. North Carolina received Nunn-Lugar-Domenici funds for terrorism planning for Raleigh, Greensboro and Charlotte after 1998 and we have been considering the threats longer than that. But like everyone else, the urgency became far more real after 9/11 and the anthrax attacks which followed. As a state, Governor Easley and our legislature were quick to act and immediately in 2001 provided over \$10 million to enhance our state hazardous materials response, medical assistance, urban search and rescue and health laboratory capabilities to meet the immediate threats as we understood them.

I want you also to know that in North Carolina we are acutely aware of food and agriculture as part of the nation's critical infrastructure. Our state has combined the resources of state agencies, academia, and industry to develop a national model for vulnerability assessment, mitigation, response and recovery for all facets of food production, processing and transportation. We have been coordinating closely with USDA, FDA and DHS both in developing plans and serving as a national pilot training site as we work to harden the food chain from attack.

When federal money came in for 2002 and 2003, we faced a significant dilemma. North Carolina's population is fairly evenly dispersed into a few medium-sized cities and hundreds of small towns and communities. Like many states, we have a couple of thousand first responder agencies, including local police, sheriffs, firefighters and emergency medical personnel. Each has its own governance structure and funding mechanism. This highly fragmented system works well for daily response needs but is difficult to coordinate in a mass-victim, multi-jurisdictional event. Our principal natural hazards are hurricanes and floods, so we normally can work through these problems because the event comes with fair warning and unfolds over hours and days.

Terrorism strikes in seconds and minutes. We knew we needed to improve our coordination, and federal funds gave us an opportunity to begin. We allocated our 2002 and 2003 funding among our 100 counties as the smallest unit to receive grants. This meant that a dozen or more agencies within each county had to come together and share information and cooperate to receive funds. Some counties had done this for years, some did it for the first time. We allowed them to establish their own priorities for using the funds, so long as all the jurisdictions were included and the spending plans met the federal guidelines.

With 2004 money we changed, and allocated only half by per capita formula, and used a competitive grant process to award the other half. Our scorers included representatives from local emergency response agencies across the various disciplines.

Our top priority for the competitive grants was for interoperable communications. We had already developed a statewide Voice Interoperability Plan for Emergency Responders, or VIPER for short. When the grants were scored, most of the grants went to VIPER projects. This system will allow all local first responders to migrate onto a state-maintained digital 800 MHz system. We made this choice after lengthy consultation with local government and first responders' associations, and the associations agreed this should be the top priority for the first responder community. The total cost to build the infrastructure for VIPER is estimated to be \$188 million.

As you know the GAO, the 9/11 Commission and many other assessments note that lack of interoperable communications is one of our greatest weaknesses. The lack of it constrained the responses in New York, in Washington, and at the crash site in Pennsylvania. In North Carolina, building this system will allow us to coordinate and leverage our dispersed capabilities in a way that will be both effective, and cost-effective.

In 2005 we have become still more focused. This year we are awarding all of the funds by competitive grant with an emphasis on multi-county, regional plans. We believe that this is the next logical step in improving our multi-jurisdictional response.

At least half of the 2005 money will all go to interoperable communications projects on the VIPER system. In addition, Governor Mike Easley's recommended budget includes \$33 million in state money to fund construction of infrastructure for the radio network in the upcoming biennium. Even so, this is still only a fraction of what is needed to complete the system.

PLO Terrorist George Habash said that "terrorists see the world as full of lions and sheep. Why go after the lions when there are so many sheep." I look forward to working with you in the months and years to come to make sure that every state is a lion.